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March 22, 2021

Honorable Loretta A. Preska
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

BY ECF

Re: *United States v. Chen Xiang*
02 Cr. 271 (LAP)

Dear Judge Preska:

I represented defendant “Chen Xiang” (his actual name is Xiang Chen) at his trial, sentencing and appeal in this matter, pursuant to the Criminal Justice Act (CJA). I write to respectfully request that the Court reappoint me under the CJA to represent Mr. Chen for the purpose of filing a motion to reduce his sentence under 18 U.S.C. § 3582(c)(1)(A), as amended by the First Step Act of 2018.

I make this request because Mr. Chen appears eligible for a reduced sentence under *United States v. Brooker*, 976 F.3d 228 (2d Cir. 2020). He was sentenced in 2006 to a total term of 754 months of imprisonment, including three consecutive or “stacked” terms of imprisonment for violating 18 U.S.C. § 924(c). Courts have recognized that the health dangers posed to prisoners by the current COVID-19 pandemic, combined with the “brutal impact” of mandatory pre-First Step Act “stacked” § 924(c) sentences, can constitute “extraordinary and compelling reasons” warranting a sentence reduction. *E.g.*, *United States v. Haynes*, 456 F. Supp. 3d 496, 514–18 (E.D.N.Y. 2020). Accordingly, I respectfully request that the Court appoint me to seek a reduced sentence on Mr. Chen’s behalf.

Thank you for your consideration of this application.

Very truly yours,

Sanford Talkin
Sanford Talkin

Sanford Talkin is hereby appointed, pursuant to the Criminal Justice Act, to represent Mr. Chen for the purpose of filing a motion to reduce his sentence under 18 U.S.C. § 3582(c)(1)(A).

SO ORDERED.

Dated: March 23, 2021
New York, New York

Loretta A. Preska
LORETTA A. PRESKA, U.S.D.J.